

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Theresa L. O'Keefe  
Application No.: 10/718,495 Group Art Unit: 1644  
Filed: November 20, 2003 Examiner: Maher M. Huddad Ph.D.  
Confirmation No.: 9229

USE OF HMGB FRAGMENTS AS ANTI-INFLAMMATORY AGENTS

CERTIFICATE OF MAILING OR TRANSMISSION	
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INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
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05/19/2006 FFANAEIA 00000097 10718495

Sir:

01 FC:1806 180.00 OP

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☐ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☒ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☒ a \$180.00 fee under 37 CFR 1.17(p), or

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☐ under 37 CFR 1.97(d) together with:

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☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

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Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

☒ Enclosed herewith is form PTO-1449:

- ☒ Copies of the cited references B1-B9 and C1-C67 are enclosed.
- ☐ Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☒ The listed references (C2, C3 and C48) were cited in the enclosed International Search Report in a counterpart foreign application.
- ☒ The "concise explanation" requirement (non-English references) for reference B8 under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☒ the enclosed English language abstract.

- ☐ Applicant requests that the following non-published pending applications be considered:  
(Affix a label or apply the stamp "Non-Published IDS Reference - Do Not Scan" to the front of each unpublished pending appl'n.)

Examiner's  
Initials

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]  
\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]  
\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

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Examiner

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Date

- ☐ A copy of each above-cited applications, including the current claims, is enclosed.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☒ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

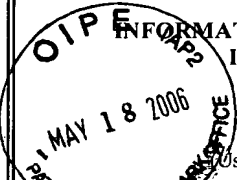
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

Kristin A. Connarn  
Registration No.: 57,025  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: May 16, 2006

PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 3258.1009-001		APPLICATION NO. 10/718,495	
 <p>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</p> <p>May 16, 2006</p> <p>(Use several sheets if necessary)</p>		FIRST NAMED INVENTOR Theresa L. O'Keefe		FILING DATE 11/20/2003	
		EXAMINER Maher M. Huddad Ph.D.		CONFIRMATION NO. 9229	

## U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	A1	5,594,114	01/14/1997	Goodearl, A. D. J., <i>et al.</i>
	A2	6,303,321 B1	10/16/2001	Tracey, K. J. and Wang, H.
	A3	6,448,223 B1	09/10/2002	Tracey, K. J. and Wang, H.
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	A13	US 6,677,321 B1	01/13/2004	Levin, B.
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## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO	
	B1	WO 00/47104 A2	08/17/2000	The Picower Institute for Medical Research		
	B2	WO 99/59609 A2	11/25/1999	Bartorelli, A.		
	B3	WO 02/074337 A1	09/26/2002	Bianchi, M. E., <i>et al.</i>		
	B4	WO 2004/004763 A2	01/15/2004	Bianchi, M. E., <i>et al.</i>		
	B5	JP 62-166897	07/23/1987	Toyo Soda Mfg. Co., Ltd.	X	
	B6	EP 1 079 849 B1	01/02/2002	Bartorelli, A.		
	B7	WO 96/25493 A1	08/22/1996	Bullerdiek, J.		
	B8	WO 97/23611 A2	07/03/1997	Bullerdiek, J.		X
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C1	Abaza, M.-S. I. and Atassi, M. Z., "Effects of Amino Acid Substitutions Outside an Antigenic Site on Protein Binding to Monoclonal Antibodies of Predetermined Specificity Obtained by Peptide Immunization: Demonstration with Region 94-100 (Antigenic Site 3) of Myoglobin," <i>J. Protein Chem.</i> , 11(5):433-444 (1992).
C2	Abraham, E., <i>et al.</i> , "Cutting Edge: HMG-1 as a Mediator of Acute Lung Inflammation," <i>J. Immunol.</i> , 165:2950-2954 (2000).
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C12	Chou, D. K. H., <i>et al.</i> , "Identity of Nuclear High-Mobility-Group Protein, HMG-1, and Sulfoglucuronyl Carbohydrate-Binding Protein, SBP-1, in Brain," <i>J. Neurochem.</i> , 77:120-131 (2001).
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C31	Parkkinen, J. and Rauvala, H., "Interactions of Plasminogen and Tissue Plasminogen Activator (t-PA) with Amphoterin," <i>J. Biol. Chem.</i> , 266(25):16730-16735 (1991).
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**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

C33	Passalacqua, M., <i>et al.</i> , "Stimulated Astrocytes Release High-Mobility Group 1 Protein, an Inducer of Lan-5 Neuroblastoma Cell Differentiation," <i>Neuroscience</i> , 82(4):1021-1028 (1998).
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C36	Romani, M., <i>et al.</i> , "Serological Analysis of Species Specificity in the High Mobility Group Chromosomal Proteins," <i>J. Biol. Chem.</i> , 254(8):2918-2922 (1979).
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C43	Sparatore, B. <i>et al.</i> , "Extracellular High-Mobility Group 1 Protein is Essential for Murine Erythroleukaemia Cell Differentiation," <i>Biochem. J.</i> , 320:253-256 (1996).
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C47	Vanderbilt, J. N. and Anderson, J. N., "Monoclonal Antibodies as Probes for the Complexity, Phylogeny, and Chromatin Distribution of High Mobility Group Chromosomal Proteins 1 and 2," <i>J. Biol. Chem.</i> , 260(16):9336-9345 (1985).
C48	Wang, H., <i>et al.</i> , "HMG-1 as a Late Mediator of Endotoxin Lethality in Mice," <i>Science</i> , 285:248-251 (1999).
C49	Wang, H., <i>et al.</i> , "Proinflammatory Cytokines (Tumor Necrosis Factor and Interleukin 1) Stimulate Release of High Mobility Group Protein-1 by Pituicytes," <i>Surgery</i> , 126(2):389-392 (1999).
C50	Wen, L., <i>et al.</i> , "A Human Placental cDNA Clone that Encodes Nonhistone Chromosomal Protein HMG-1," <i>Nucleic Acids Res.</i> , 17(3):1197-1213 (1989).
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